

Written Testimony in Support of HB 1382
State Procurement – Prohibited Certifications – Boycotts of Foreign Countries

Committee: Maryland House Government, Labor, and Elections Committee

Position: FAVORABLE

Name: Jacob Keller

City/County: Takoma Park, MD

Hearing Date: March 11, 2026

Dear Chair and Members of the Committee,

My name is **Jacob Keller**, and I am a **lifelong Marylander currently living in Takoma Park**. I write today to respectfully urge a **favorable report** on HB 1382, which would prohibit the State of Maryland from requiring contractors to certify that they do not boycott foreign countries as a condition of doing business with the state.

At its core, this bill is about a fundamental principle: **the government should not compel individuals or businesses to do business with a state credibly accused of genocide in order to compete for public contracts**. Participation in public procurement should depend on the quality of a proposal and the ability to provide goods or services—not on whether a bidder holds or expresses a particular political viewpoint about a foreign country.

Across the United States, a growing number of state procurement policies have required businesses to certify that they do not participate in certain boycotts of foreign countries. These policies effectively force contractors to choose between their economic livelihood and their right to engage in peaceful political expression. For many people, boycotts are an important tool of civic participation—a way to express moral or political convictions through economic choices.

The right to participate in political boycotts has deep roots in American history. From the colonial boycotts that helped launch the American Revolution to the consumer boycotts that fueled the civil rights movement, economic protest has long been recognized as a legitimate and powerful form of democratic expression. The U.S. Supreme Court affirmed this principle in the landmark case **NAACP v. Claiborne Hardware Co.**, recognizing that politically motivated boycotts are protected forms of speech and association.

Requiring state contractors to certify that they will not participate in boycotts of foreign countries undermines that principle. Such requirements effectively impose a political litmus test on individuals and businesses seeking to work with the state. Whether someone supports or opposes any particular boycott is beside the point; the government should not be in the business of compelling people to take sides in political debates as a condition of earning a living.

HB 1382 addresses this concern in a straightforward and principled way. The bill would simply ensure that procurement officers cannot require bidders or contractors to provide certifications regarding boycotts of foreign countries, nor include clauses in contracts enforcing such certifications. By doing so, the legislation restores neutrality to the state procurement process and protects the rights of Maryland residents and businesses to make their own political and ethical decisions.

This bill does **not** require anyone to participate in a boycott, nor does it endorse any particular boycott movement. Rather, it protects the ability of individuals and businesses to decide for themselves how to express their political views. The state should remain neutral on those choices and should focus instead on obtaining the best services and value for Maryland taxpayers.

As a **devoted, lifelong resident of Maryland**, I believe strongly that our state should uphold the principles of free expression and open participation in our democratic society. No Marylander should have to sign away their political conscience in order to compete for a government contract.

For these reasons, I respectfully urge the Committee to issue a **favorable report** on HB 1382.

Thank you for your time and consideration.

Sincerely,
Jacob Keller